

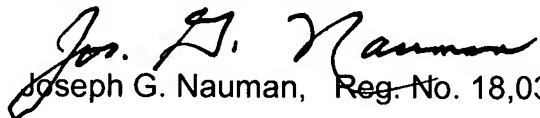
Remarks

It is believed that the foregoing claim amendments are properly submitted, following the telephone conversation with the Examiner and the subsequent receipt of two communications from the Examiner both mailed 8/20/2007, which emphasize the amended claims "should be based on the claims as filed on 1/22/04" and mentioned that "the PTO version (of) the claims of 1/22/04 is the same as applicant's version" which had just been FAXed to the Examiner; the foregoing is the substance of the telephone interview. It is Counsel's understanding that the National application filed 1/22/2004 included a Preliminary amendment of those claims, which include underlining and 'strike-outs' to identify the amendments made at that time, i.e. upon filing.

Thus, it is further Counsel's understanding, according to the Rules, that those so-marked claims constituted a first (Preliminary) amendment with appropriate underlining and 'strike-outs', and therefore subsequent amendments (as here) should not repeat those markings. If the Examiner disagrees with this understanding, or he believes that this is not the proper way to amend "previously amended" claims, it is requested that he explain exactly how he believes these claims should be amended under the Rules. In Counsel's view, the listing of claims as above is correct under the circumstances.

This amendment is being filed within the time limit set It is assumed the Examiner will take this application up for further action as soon as his Docket permits, in view of the long (about 3 ½ years) pendency of this application.

Respectfully submitted,


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29 August 2007.
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to

Mail Stop Amendment

Commissioner for Patents

ARLINGTON VA 22313-1450 on 29 August 2007.


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